APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,066	12/21/2001	Thomas N. Turba	RA5411 (33012/329/101)	9769

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EXAMINER
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ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/027,066	TURBA ET AL.
Office Action Summary	Examiner	Art Unit	
	Yicun Wu	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 November 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

III. DETAILED ACTION

1.   Claims 1-25 are presented for examination.

Response to Applicant' Remarks

2.   Applicant's arguments filed on 11-22-2004 with respect to
the rejected claims in view of the cited references have been
fully considered but they are moot in view of the new grounds of
Rejections.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-25 are rejected under 35 U.S.C. 102(e) as being

anticipated over Walsh et al. (U. S. Patent No. 6,810,429).

As to Claim 1, Walsh et al. discloses a data processing

including a legacy data base management system which honors a

service request by executing an ordered sequence of command

language script coupled to a publicly accessible digital data

communication network, the improvement comprising:

a. a response generated by the legacy data base management

system which is not in XML format by executing the ordered

sequence of command language script to honor the service request

(<u>Walsh et al.</u> fig. 1b, 2, 4 and col. 9, lines 57- col. 10,

lines 67; and

b. a facility for converting the response into an XML

message (col. 3, lines 5-13 and fig. 1b) which is transferrable

over the publicly accessible digital data communication network

(Fig. 1b).

As to Claim 2, <u>Walsh et al.</u> discloses a data processing

system wherein the facility further comprises

an output definition table (fig. 1b, 2, 4 and col. 9, lines

51- 67).

As to Claim 3, <u>Walsh et al.</u> discloses a data processing

System wherein the facility further comprises

a document type definition corresponding to the XML message

(fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 4, <u>Walsh et al.</u> discloses a data processing

System wherein

the facility includes storage for the output definition

table (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 5, <u>Walsh et al.</u> discloses a data processing

system wherein the facility further comprises

a repository responsively coupled to the legacy data base

management system wherein the ordered sequence of command

language script the output definition table and the document

type definition are stored within the repository (fig. 1b, 2, 4

and col. 9, lines 51- 67).

As to Claim 6, <u>Walsh et al.</u> discloses an apparatus

comprising:

a. a publicly accessible digital data communication network

(fig. 1b);

b. a data base management system having an internal format

different from XML responsively coupled to the publicly

accessible digital data communication network which

generates a response in the internal format by executing an

ordered sequence of command language script (fig. 1b, 2, 4 and

col. 9, lines 51- 67); and

c. an Output Definition Table which converts the response

into an XML document (fig. 1b, 2, 4 and col. 9, lines 51- 67)

for transmission on the publically accessible digital data

communication network (fig. 1b).

As to Claim 7, <u>Walsh et al.</u> discloses an apparatus

comprising:

a Document Type Definition (DTD) which defines a format of

the XML document (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 8, <u>Walsh et al.</u> discloses an apparatus

comprising:

a repository within the data base management system for

storage of the Output Definition Table (fig. 1b, 2, 4 and col.

9, lines 51- 67).

As to Claim 9, <u>Walsh et al.</u> discloses an apparatus

comprising:

a window for user activation of the Output Definition Table

(fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 10, <u>Walsh et al.</u> discloses an apparatus wherein

the publicly accessible digital data communication system

further comprises

the Internet (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 11, <u>Walsh et al.</u> discloses a method of supplying a response from a data base management system comprising:

a. transferring a service request to the data base management system via a publically accessible digital data communication network (fig. 1b, 2, 4);

b. processing the service request by the data base management system to produce a response (fig. 1b, 2, 4 and col. 9, lines 51- 67);

c. converting the response into an XML document using an Output Definition Table (ODT) (fig. 1b, 2, 4 and col. 9, lines 51- 67); and

d. transmitting the XML document via the publically accessible digital data communication network (fig. 1b, 2, 4).

As to Claim 12, <u>Walsh et al.</u> discloses a method wherein the converting step includes use of a Document Type Definition corresponding to the XML document (i.e. dtd. fig. 1b, 2, 4).

As to Claim 13, <u>Walsh et al.</u> discloses a method wherein the Output Definition Table is dynamically generated from storage (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 14, <u>Walsh et al.</u> discloses a method wherein the converting step further comprises

an XML element to source mapping tree containing an internal representation that assures conformance to the Document Type Definition (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 15, <u>Walsh et al.</u> discloses a method wherein the publically accessible digital data communication network further comprises

the Internet (fig. 1b, 2, 4).

As to Claim 16, <u>Walsh et al.</u> discloses an apparatus comprising:

a. transmitting means for transmitting an XML document via a publicly accessible digital data communication network (fig. 1b, 2, 4);

b. processing means responsively coupled to the transmitting means for processing a service request to produce a response (fig. 1b, 2, 4 and col. 9, lines 51- 67);

c. converting means responsively coupled to the processing means for converting the response into the XML document (fig. 1b, 2, 4 and col. 9, lines 51- 67); and

d. sending means responsively coupled to the converting
means (fig. 1b, 2, 4 and col. 9, lines 51- 67) and the
transmitting means for sending the XML document to the
transmitting means for transmission via the publicly accessible
digital data communication network (fig. 1b, 2, 4).

As to Claim 17, Walsh et al. discloses an apparatus
comprising: wherein the processing means further comprises
a repository (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 18, Walsh et al. discloses an apparatus
comprising:
defining means for defining a format of the XML document
(fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 19, Walsh et al. discloses an apparatus
comprising: wherein the transmitting means further comprises
the Internet (fig. 1b, 2, 4).

As to Claim 20, Walsh et al. discloses an apparatus
comprising: wherein the storing means stores the defining means
for future use (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 21, <u>Walsh et al.</u> discloses an apparatus
apparatus for honoring a data processing service request
comprising:

a. A user terminal which generates the service request
(fig. 1b, 2, 4);

b. A legacy data base management system having a data base
in a legacy format which honors the service request by executing
an ordered sequence of command language script responsively
coupled to the user terminal via a publicly accessible digital
data communication network (fig. 1b, 2, 4 and col. 9, lines 51-
67);

c. A first response in the legacy format generated by the
legacy data base management system by executing the ordered
sequence of command language script (fig. 1b, 2, 4 and col. 9,
lines 51- 67);

d. A conversion facility responsively coupled to the legacy
data base management system which converts the first response in
the legacy format into a second response embodied as an XML
message (fig. 1b, 2, 4 and col. 9, lines 51- 67); and

e. A transfer facility for transferring the XML message
from the legacy data base management system to the user terminal
via the publicly accessible digital data communication network
(fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 22, <u>Walsh et al.</u> discloses an apparatus for honoring a data processing service request further comprising

a Document Type Definition (DTD) which defines a format of the XML message (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 23, <u>Walsh et al.</u> discloses an apparatus for honoring a data processing service request further comprising

a repository within the legacy data base management system for storage of the ordered sequence of command language script (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 24, <u>Walsh et al.</u> discloses an apparatus for honoring a data processing service request further comprising

a window for user activation of the XML message at the user terminal (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 25, <u>Walsh et al.</u> discloses an apparatus for honoring a data processing service request wherein the publicly accessible digital data communication system further comprises

the Internet (fig. 1b, 2, 4 and col. 9, lines 51- 67).

Conclusion

5.   **THIS ACTION IS MADE FINAL**, Applicant's amendment

necessitated the new ground(s) of rejection presented in this

office action. Accordingly, *THIS ACTION IS MADE FINAL. See MPEP*

706.07(a). Applicant is reminded of the extension of time policy

as set forth in 37 CFR 1.136(a).

A shortened statutory- period for reply to this final

action is set to expire THREE MONTHS from the mailing date of

this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136 (a) will be calculated

from the mailing date of the advisory action. In no event,

however, will the statutory period for reply-expire later than

SIX MONTHS from the mailing date of this final action.

Points of contact

6.   Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Yicun Wu

whose telephone number is 571-272-4087. The examiner can

normally be reached on 8:00 am to 4:30 pm, Monday -Friday.

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be

reached on 571-272-4146. The fax phone numbers for the

organization where this application or proceeding is assigned

are 571-273-8300.

Any inquiry of a general nature or relating to the status

of this application or proceeding should be directed to the

receptionist whose telephone number is 571-272-2100.

Yicun Wu
Patent Examiner
Technology Center 2100

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

October 6, 2005